

Said Part 1 (3,310.992 acres) and Part 2 (100.968 acres) containing a total of 3,411.960 acres of land.

SECTION 3. (a) The legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code.

(b) The governor, one of the required recipients, has submitted the notice and Act to the Texas Commission on Environmental Quality.

(c) The Texas Commission on Environmental Quality has filed its recommendations relating to this Act with the governor, the lieutenant governor, and the speaker of the house of representatives within the required time.

(d) All requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act are fulfilled and accomplished.

SECTION 4. (a) If this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 7926, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 7926.107 to read as follows:

*Sec. 7926.107. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.*

(b) This section is not intended to be an expression of a legislative interpretation of the requirements of Section 17(c), Article I, Texas Constitution.

SECTION 5. This Act takes effect September 1, 2015.

Passed by the House on April 23, 2015: Yeas 139, Nays 0, 2 present, not voting;  
passed by the Senate on May 20, 2015: Yeas 30, Nays 1.

Filed without signature June 10, 2015.

Effective September 1, 2015.

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## TEXAS MOBILITY FUND

### CHAPTER 387

H.B. No. 122

#### AN ACT

**relating to the Texas Mobility Fund.**

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Sections 201.943(a) and (l), Transportation Code, are amended to read as follows:

(a) Subject to Subsections (e), (f), ~~and~~ (g), and (l), the commission by order or resolution may issue obligations in the name and on behalf of the state and the department and may enter into credit agreements related to the obligations. The obligations may be issued in multiple series and issues from time to time in an aggregate amount not exceeding the maximum obligation amount. The obligations may be issued on and may have the terms and provisions the commission determines appropriate and in the interests of the state. The obligations may be issued as long-term obligations, short-term obligations, or both. The latest scheduled maturity of an issue or series of obligations may not exceed 30 years.

(l) *Except as otherwise provided by this subsection, obligations [Obligations] may not be issued under this section or Section 49-k, Article III, Texas Constitution, after January 1, 2015 [if the commission or the department requires that toll roads be included in*

~~a regional mobility plan in order for a local authority to receive an allocation from the fund]. The commission may issue obligations to refund:~~

- ~~(1) outstanding obligations to provide savings to the state; and~~
- ~~(2) outstanding variable rate obligations and may renew or replace credit agreements relating to the variable rate obligations.~~

SECTION 2. Section 201.946(d), Transportation Code, is amended to read as follows:

(d) To the extent money is on deposit in the fund in amounts that are in excess of the money required by the proceedings authorizing the obligations and credit agreements to be retained on deposit, the commission may use the money for any purpose for which obligations may be issued under this subchapter, *other than for toll roads*.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.

Passed by the House on April 9, 2015: Yeas 128, Nays 0, 2 present, not voting; passed by the Senate on May 19, 2015: Yeas 30, Nays 1.

Approved June 10, 2015.

Effective June 10, 2015.

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## STORAGE OF FLAMMABLE LIQUIDS AT RETAIL SERVICE STATIONS IN UNINCORPORATED AREAS AND CERTAIN MUNICIPALITIES

### CHAPTER 388

H.B. No. 239

#### AN ACT

**relating to storage of flammable liquids at retail service stations in unincorporated areas and certain municipalities.**

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Section 753.004, Health and Safety Code, is amended by amending Subsections (d) and (e) and adding Subsection (d-1) to read as follows:

(d) *Except as provided by Subsection (d-1), gasoline* ~~[Gasoline]~~, diesel fuel, or kerosene may be stored in an aboveground storage tank ~~[with a capacity of not more than 4,000 gallons]~~ at a retail service station located in an unincorporated area or in a municipality with a population of less than 5,000.

*(d-1) A commissioners court of a county with a population of 3.3 million or more may by order limit the maximum volume of an aboveground storage tank in an unincorporated area of the county in accordance with the county fire code.*

(e) Under Subsection (d), a retail service station may have a tank ~~[not exceeding the specified capacity]~~ for each separate grade of gasoline, diesel fuel, or kerosene, but may not have more than one tank ~~[of that capacity]~~ for the same grade.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.

Passed by the House on May 5, 2015: Yeas 142, Nays 3, 2 present, not voting; passed by the Senate on May 20, 2015: Yeas 31, Nays 0.

Approved June 10, 2015.

Effective June 10, 2015.